

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Joel A. Pisano
	:	
	:	Criminal No. 03-836(JAP)
v.	:	
	:	
	:	18 U.S.C. §§ 1512 and 1513,
WILLIAM BASKERVILLE,	:	21 U.S.C. §§ 841 and 846,
a/k/a "Cheeb"	:	18 U.S.C. § 2

S U P E R S E D I N G I N D I C T M E N T

The Grand Jury in and for the District of New Jersey,
sitting at Newark, charges:

COUNT ONE

(Conspiracy to Murder a Witness)

1. Between January 2003 and November 2003, Federal law enforcement agents conducted an investigation into the narcotics trafficking activities of WILLIAM BASKERVILLE, a/k/a "Cheeb."

2. An individual (hereinafter, "the Confidential Witness") provided information and assistance to Federal law enforcement agents in connection with the investigation of WILLIAM BASKERVILLE, a/k/a "Cheeb." As part of the investigation, the Confidential Witness, under the supervision and surveillance of Federal law enforcement agents, purchased substances containing cocaine base from WILLIAM BASKERVILLE, a/k/a "Cheeb" on six separate occasions.

3. On November 18, 2003 a United States Magistrate Judge for the District of New Jersey signed a criminal complaint and issued an arrest warrant charging WILLIAM BASKERVILLE, a/k/a "Cheeb" with distributing five grams or more of a substance containing cocaine base in violation of Federal law.

4. An affidavit of a Federal law enforcement agent (hereinafter, "the Agent's Affidavit") submitted in support of the criminal complaint and arrest warrant stated, in part, that an individual, identified in the Agent's Affidavit as the "confidential witness" assisted law enforcement by making purchases of cocaine base from WILLIAM BASKERVILLE, a/k/a "Cheeb."

5. On November 25, 2003, WILLIAM BASKERVILLE, a/k/a "Cheeb" was arrested on the above described arrest warrant and appeared in United States Court for the District of New Jersey. At that Court proceeding, WILLIAM BASKERVILLE, a/k/a "Cheeb" was informed of the crimes with which he was charged and received a copy of the criminal complaint and the Agent's Affidavit related to those charges.

6. After learning of the allegations in the criminal complaint and the Agent's Affidavit, WILLIAM BASKERVILLE, a/k/a "Cheeb" determined the identity of person identified in the Agent's Affidavit as the "confidential witness."

7. From on or about November 25, 2003 until on or about March 2, 2004 in the Counties of Hudson and Essex, District of New Jersey and elsewhere, defendant

WILLIAM BASKERVILLE, a/k/a "Cheeb"

did knowingly and intentionally conspire and agree with others to cause the death of another person, namely, the Confidential Witness with intent to prevent the attendance or testimony of another person in an official proceeding, which killing is a murder as defined in Title 18, United States Code, Section 1111(a) in that the defendant, with malice aforethought, did unlawfully kill the Confidential Witness willfully, deliberately, maliciously, and with premeditation, contrary to Title 18, United States Code, Sections 1512(a)(1)(A) and (a)(3)(A).

The Object of the Conspiracy

8. It was the object of the conspiracy to kill the Confidential Witness to prevent the attendance and testimony of Confidential Witness at Court proceedings in the criminal case against WILLIAM BASKERVILLE, a/k/a "Cheeb" for distribution of cocaine base.

Manner and Means of the Conspiracy

9. It was part of the conspiracy that WILLIAM BASKERVILLE, a/k/a "Cheeb" communicated with a co-conspirator, informed the co-conspirator of the identity of the Confidential

Witness and told the co-conspirator to locate and kill the Confidential Witness.

10. It was a further part of the conspiracy that a co-conspirator shot the Confidential Witness and caused the death of the Confidential Witness.

In violation of Title 18, United States Code, Section 1512(k).

COUNT TWO

(Conspiracy to Retaliate Against an Informant)

1. Paragraphs 1 through 6 and 9 through 10 of Count One of this Indictment are hereby realleged and reincorporated as though set forth in full herein

2. From on or about November 25, 2003 until on or about March 2, 2004 in the Counties of Hudson and Essex, District of New Jersey and elsewhere, defendant

WILLIAM BASKERVILLE, a/k/a "Cheeb"

did knowingly and intentionally conspire and agree with others to cause the death of another person with intent to retaliate against another person, namely, the Confidential Witness for providing to a law enforcement officer any information relating to the commission or possible commission of a Federal offense, which killing is a murder as defined in Title 18, United States Code, Section 1111(a) in that the defendant, with malice aforethought, did unlawfully kill the Confidential Witness, willfully, deliberately, maliciously, and with premeditation, contrary to Title 18, United States Code, Sections 1513(a)(1)(B) and (a)(2)(A).

The Object of the Conspiracy

3. It was the object of the conspiracy to kill the Confidential Witness in retaliation for the Confidential Witness providing information to law enforcement officers relating to the commission of the Federal offense of narcotics distribution by WILLIAM BASKERVILLE, a/k/a "Cheeb".

In violation of Title 18, United States Code, Section 1513(e).

COUNT THREE

(Conspiracy to Distribute Cocaine Base)

1. From at least on or about January 13, 2003 through on or about November 25, 2003, in Essex County, in the District of New Jersey and elsewhere, defendant

WILLIAM BASKERVILLE, a/k/a "Cheeb,"

did knowingly and intentionally conspire and agree with others to distribute and to possess with intent to distribute 50 grams or more of a mixture or substance which contained cocaine base, a Schedule II narcotic drug controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

In violation of Title 21, United States Code, Section 846.

COUNTS FOUR-NINE

1. On or about the dates listed below, in Essex County, in the District of New Jersey and elsewhere, defendant WILLIAM BASKERVILLE, a/k/a "Cheeb" did knowingly and intentionally distribute and possess with intent to distribute quantities of a mixture or substance which contained cocaine base, a Schedule II narcotic drug controlled substance, in approximate amounts set forth below:

COUNT NUMBER	DATE	AMOUNT
COUNT FOUR	March 18, 2003	26 grams
COUNT FIVE	March 21, 2003	46.7 grams
COUNT SIX	May 22, 2003	26.7 grams
COUNT SEVEN	June 19, 2003	45.5 grams
COUNT EIGHT	September 9, 2003	28 grams
COUNT NINE	October 23, 2003	28 grams

In violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT TEN

1. From on or about September 22, 2003, in Essex County, in the District of New Jersey and elsewhere, defendant

WILLIAM BASKERVILLE, a/k/a "Cheeb"

did knowingly and intentionally distribute and possess with intent to distribute a mixture or substance which contained heroin, a Schedule I narcotic drug controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

A TRUE BILL

FOREPERSON

CHRISTOPHER J. CHRISTIE
United States Attorney

